

Minutes
Walkersville Planning Commission Meeting
January 26, 2021

Commission Chairman David Ennis called the meeting to order at 7:30 p.m. with members Dick Brady, Ray Santullo, Mike Kuster, Tom Gilbert, Russ Winch and Michelle Doster present. Also present were Town Planner Susan Hauver, Town engineer Shawn Burnett, Town Manager Sean Williams, Burgess Chad Weddle and Commissioner Michael Bailey. The meeting was also live-streamed on the Town's Facebook page.

1. Swearing-in

Burgess Weddle administered the oath of office to new member Michelle Doster, who was appointed to finish Tim Pollak's term, which expires in January 2022.

2. Minutes

Member Brady made a motion, seconded by Member Kuster, to approve the minutes of the November 17, 2020 meeting as corrected. The motion passed on a vote of 4-0-3 (Doster, Winch and Gilbert abstained).

3. Site Plan: Fountain Rock Manor, Lot 3—Dollar General

Planner Hauver presented the staff memo for the proposed site plan. She also reviewed written public comments from the following individuals: Dennis Favilla, David Bailey, Jean Riddle, Ellen Jones, Rachel Glenn, and Michael Bailey.

Mr. Rick Curry of B&R Design spoke on behalf of the applicant. He introduced Ms. Tracy Hartzman of Dollar General and Mr. Ben Sypot of PVT 1117, LLC, who also spoke on behalf of the applicant. Ms. Hartzman noted that Dollar General stores have changed dramatically in the last few years. The stores are larger with more light and wider aisles. They sell name brand items and include more refrigerated and frozen items. The architecture of the stores has changed as well. They have upgraded the appearance of the buildings to fit into the community, and in this case have added elements of stone to match the adjacent Victoria Park apartment building.

Mr. Curry reviewed the Town engineer's comments. He questioned the need for the sidewalks to be six feet wide rather than the four foot wide sidewalk existing on site.

Mr. Curry questioned why the Town engineers' comments specified a concrete apron at the entrance. He would like to keep it asphalt with a flared inset. He also noted that new guidance from the State allows shrubs to be located within bioretention areas. He confirmed this with Frederick County staff.

Member Doster asked about the location of the crosswalk providing pedestrian access to the site from Victoria Park. The crosswalk is not perpendicular to road; rather it crosses the private access drive at an unacceptable angle. Chairman Ennis insisted that the crosswalk be perpendicular.

With regard to the truck turning detail provided on the plans, Chairman Ennis said that residents expressed concern that trucks entering and exiting the site after dark would spray their lights onto the windows of apartments at Victoria Park. Mr. Curry said that Dollar General can control the timing of deliveries to ensure that they only occur between 7 a.m. and 8 p.m. They can also dictate that Dollar General's deliveries are made during Dunkin Donuts' off-peak hours.

Commission members discussed the walkway leading to the site from the parking spaces on Lot 2, which would be counted toward the required parking for Lot 3. Member Kuster requested that a paved path connect the spaces to the Dollar General parking lot.

With regard to the staff comments about the loading space on the property, Mr. Curry

compared the situation to the loading area across the street at the Safeway. There, trucks have to maneuver in the parking area to gain access to the loading dock. They can schedule the deliveries for off-peak hours and use cones if necessary, to separate passing vehicles from the delivery trucks.

In response to a question, Mr. Curry said that maintenance of the private road providing access to Lots 2 and 3 is the responsibility of the three lot owners: Victoria Park (Lot 1), Walkersville Holdings LLC Dunkin shopping center (Lots 2) and Dollar General (Lot 3). There is a recorded maintenance agreement on file and the book and page number are noted on the site plan.

Mr. Curry pointed out that they plan to use stone on the building façade to match the façade of the Victoria Park apartment building, which is adjacent to the site. The signage on site will comply with the zoning requirements and will not exceed the 50 square foot total area requirement. He also confirmed that the signage will be lighted.

Member Winch suggested that bollards be added along the sidewalk adjacent to the building along the length of the loading space.

Member Brady confirmed with Ms. Hauver that interior square footage could be used to determine the number of required parking spaces. He also asked about the proposed parking agreement between the owners of Lot 2 and Lot 3 and wondered who the parties of the agreement would be. Mr. Syput said that the agreement would be between Dollar General and Walkersville Holdings LLC, the owner of Lot 2. The agreement runs with the owners and not with the land. Any changes to the land uses on either site would be subject to site plan approval.

Mr. Curry and Mr. Syput confirmed that they would build the parking spaces on Lot 2 and the truck turning area if Lot 2 is not developed before they begin to build. If the plans for either lot changes, new site plans would need to be approved. Mr. Curry said that the Dunkin property owner is ready to pull a grading permit.

Member Winch brought up the traffic study and expressed concern about the failing turning movement in both the morning and evening peak hours. He noted that the two new uses on Lots 2 and 3 will create a traffic issue. Mr. Curry noted that the left turn movement from Sandstone Drive onto MD 194 is projected to fail due to the length of time it takes to get through the intersection. Commission members discussed the merits of restricting the turning movement. Planner Hauver said that when the Lot 2 site plan was under review the Town Commissioners discussed eliminating the failing turning movement, but a decision was not made. There were concerns about the degree to which the Town could direct traffic through the Rutter's site to the light at MD 194.

Commission members discussed the intersection issues at length. Chairman Ennis said that he thought Dollar General should bear the cost of needed offsite road improvements. It was noted that the traffic study indicated a new traffic signal is not warranted. Town Engineer Shawn Burnett distinguished improvements prohibiting the left turning movement from improvements eliminating the movement. The intersection could be restriped to prohibit the left turn without the installation of concrete barriers that would eliminate the movement.

Mr. Syput said that they are not willing to make any intersection improvements that would entail obtaining permits from the State Highway Administration, since SHA is notorious for long delays. It was suggested that the intersection could be re-striped without encroaching on the SHA right-of-way. Mr. Syput indicated that his company might be willing to contribute to the cost of striping and signage changes within the Town right-of-way, but he would not commit to it in the moment.

It was noted that the developer of Lot 2 is responsible for striping changes to the intersection of East Frederick Street and MD 194. Mr. Curry did not have the cost of those improvements readily available.

Mr. Burnett said that the details of a striping and signage plan could be worked out at the improvement plan review stage.

Commissioner Michael Bailey said that given the proximity to the site to the Victoria Park apartments, he would request that construction be permitted only after 7:30 am on weekdays and after 9 a.m. on weekends.

Member Winch made a motion, seconded by Member Kuster, to continue consideration of the site plan to the February meeting or when the applicant responds to the Commission's comments with regard to off-site road improvements.

There being no other business, the meeting was adjourned at 9:50 p.m.

Respectfully submitted,

Susan J. Hauver